United Nations A/ES-10/PV.15

General Assembly
Emergency Special Session

Official Records

15th meeting
Thursday, 20 December 2001, at 3 p.m.
New York

President Mr. Han Seung-soo ..... (Republic of Korea)

The meeting was called to order at 3 p.m.

The President: I declare the tenth emergency special session of the General Assembly resumed pursuant to Assembly resolution ES-10/7 of 20 October 2000, whereby the Assembly decided

> "to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States".

In this connection, I should like to draw the attention of delegations to the following documents. Document A/ES-10/130 contains a letter dated 18 December 2001 from the Permanent Representative of Egypt to the United Nations, in which he requested, on behalf of the States members of the League of Arab States, the resumption of the tenth emergency special session. Document A/ES-10/131 contains a letter dated 18 December 2001 from the Permanent Representative of South Africa to the United Nations in his capacity as Chairman of the Non-Aligned Movement, by which he also requested the resumption of the tenth emergency special session.

In accordance with rule 63 of the rules of procedure of the General Assembly, the President and Vice-Presidents of the fifty-sixth session will serve in the same capacity at the resumed tenth emergency special session.

May I take it that it is the wish of the General Assembly to decide that the Credentials Committee of the fifty-sixth session should serve for the resumed tenth emergency special session?

It was so decided.

Scale of assessments for the apportionment of the expenses of the United Nations (A/ES-10/132)

The President: In keeping with the established practice, I should now like to invite the attention of the General Assembly to document A/ES-10/132, which contains a letter addressed to me by the Secretary-General informing the Assembly that 14 Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

I should like to remind delegations that, under Article 19 of the Charter,

> "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."

May I take it that the General Assembly duly takes note of this information?

It was so decided.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

01-71018 (E)

Agenda item 5 (*continued*)

Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Draft resolution A/ES-10/L.7

The President: I should like to consult the Assembly with a view to proceeding immediately to consider the draft resolution contained in document A/ES-10/L.7. Since this document was circulated only this morning, it would be necessary to waive the relevant provisions of rule 78 of the rules of procedure.

The relevant provisions of rule 78 read as follows:

> "As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

Unless I hear any objection, I shall take it that the Assembly agrees with this proposal.

It was so decided.

The President: Before giving the floor to the first speaker, I would like to make a brief statement on this occasion of resuming the tenth emergency special session.

I believe that all Members of this Organization fully agree that one of the most urgent and daunting tasks before the United Nations is to bring lasting peace to the Middle East. This is not an issue that involves the region alone, but is, rather, a global concern, constituting a serious threat to world peace and security. Accordingly, the international community needs to address this problem in a collective manner. Despite the numerous appeals from the international community, we see the situation in the region becoming more aggravated day by day. Doubtless, we all feel frustrated by the limitations within which the United Nations must act in dealing with this very complex situation. Nevertheless, is it incumbent upon us to do our utmost to bring about a cessation of the daily bloodshed and violence in the region.

Members will recall that the 1991 Middle East Peace Conference, and the signing of the 1993 Declaration of Principles on Interim Self-Government Arrangements that followed, were warmly welcomed by the international community as a sign of hope and a demonstration of its clear political will to achieve peace and stability in the region. However, failure to implement the signed agreement and a steady deterioration of the situation on the ground led to the outbreak of violence in late September 2000.

In the face of escalating violence in the Middle East, the General Assembly reconvened the tenth emergency special session in October last year. Unfortunately, despite the emergency special session, we have seen a spiral of violence and an increasing number of casualties that has led to a breakdown in the peace negotiations.

The lesson we have learned from the violence prevailing in the region is that there is no alternative to the process of Israeli-Palestinian political negotiation, based on principles of mutual respect and understanding of each other's needs and interests. Therefore, as we resume this emergency special session, I urge both parties directly concerned to return to dialogue and negotiation, and I call upon the international community to help to resume and normalize the peace process. I sincerely hope that this session will produce a constructive result.

I now give the floor to the representative of Egypt to introduce draft resolution A/ES-10/L.7.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): In my capacity as Chairman of the Group of Arab States for this month, I would like to thank you, Mr. President, for reconvening this emergency special session. I would like, on behalf of the sponsors, to introduce to the Assembly for its consideration the draft resolution contained in document A/ES-10/L.7. The draft resolution has two parts, A and B, on which a decision will be taken in two stages.

Member States may notice that the text of part A of the draft resolution is identical to that of the draft resolution that the Security Council failed to adopt on 15 December as a result of the exercise of the veto by one permanent member of the Security Council, despite the fact that the majority of Council members voted in favour. As members will see, the draft resolution is balanced and moderate.

The preambular part emphasizes the need for a just, lasting and comprehensive peace in the Middle East based on resolutions 242 (1967) and 338 (1973) and the principle of land for peace. It also emphasizes

the essential role of the Palestinian Authority, which remains the indispensable party for peace and needs to be preserved fully.

The fifth, sixth and seventh preambular paragraphs of part A express gave concern at the continuation of the violence and the casualties that have resulted, and condemns all acts of violence and terror leading to civilian casualties, both Palestinian and Israel.

The eighth preambular paragraph refers to the determination of the General Assembly to contribute to ending the violence, while the ninth reiterates the need for the two sides to comply with their obligations under the existing agreements. The tenth preambular paragraph also reiterates the need for Israel, as the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention.

In its operative part, paragraph 1 demands the immediate cessation of all acts of violence, provocation and destruction, as well as the return to the positions and arrangements that existed prior to September 2000. Paragraphs 2 and 3 condemn all acts of terror, in particular those targeting civilians, and all acts of extrajudiciary execution, the excessive use of force and the wide destruction of property.

In paragraph 4, the General Assembly calls on both sides to start the comprehensive and immediate implementation of the recommendations included in the report of the Mitchell Committee, and paragraph 5 encourages all concerned to establish a monitoring mechanism to help the parties implement the Mitchell recommendations and to help create a better situation in the occupied Palestinian territories. Finally, paragraph 6 calls for the resumption of negotiations between the two parties within the Middle East peace process on its agreed basis, taking into consideration developments in previous discussions and negotiations between the two sides.

Part B of the draft resolution contained in A/ES-10/L.7 basically deals with the outcome of the Conference of High Contracting Parties to the Fourth Geneva Convention, which took place on 5 December in Geneva.

The first and second preambular paragraphs recall all the relevant Security Council and General Assembly resolutions. The General Assembly notes with appreciation the convening of the first Conference of High Contracting Parties to the Fourth Geneva Convention, on 15 July 1999, and the reconvening of the Conference, on 5 December 2001.

The fifth preambular paragraph recalls relevant provisions of the Rome Statute of the International Criminal Court, and the sixth preambular paragraph reaffirms the position of the international community on the illegality of the Israeli settlements in the occupied Palestinian territory, including East Jerusalem.

In the seventh preambular paragraph, the General Assembly expresses its concern at recent Israeli actions against the Orient House and other Palestinian institutions in occupied East Jerusalem as well as other illegal Israeli actions aimed at altering the status of the city and its demographic composition.

The eighth and ninth preambular paragraphs reaffirm the applicability of the Fourth Geneva Convention to the occupied Palestinian territory, including East Jerusalem, and the need to respect the Convention under all circumstances.

The tenth preambular paragraph expresses the General Assembly's cognizance of the relevant provisions of the Charter of the United Nations, including Article 96.

Operative paragraph 1 of the draft resolution expresses full support for the declaration adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention, on 5 December. Operative paragraph 2 calls upon all Members and observers of the United Nations, as well as the Organization itself and its specialized agencies, to observe the declaration. In operative paragraph 3, the General Assembly decides to adjourn the tenth emergency special session temporarily.

I would like to add that the following countries have joined Egypt, South Africa and the observer delegation of Palestine in sponsoring the draft resolution: Afghanistan, Algeria, Bangladesh, Cuba, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Qatar, Saudi Arabia, Senegal, the Sudan, Tunisia, the United Arab Emirates and Yemen.

In addition, I would like to summarize before the General Assembly some of the points that reflect my country's position.

First, the way to contain the current crisis is well known: it has been supported by the international community in more than one forum and on more than one occasion. I am referring to the recommendations contained in the Mitchell report. The full and honest implementation of these recommendations is the only way out of the current crisis and would take it to the stage of constructive negotiations leading to a just and lasting settlement of the dispute.

Secondly, we would like to recall the general context in which the United Nations and the General Assembly view the current crisis and the continuing deterioration of the situation in the Middle East: the Israeli military occupation. It is the context of a Power occupying the Palestinian territories of East Jerusalem, the West Bank and the Gaza Strip. This occupation should come to an end as soon as possible.

Thirdly, none of Israel's efforts aimed at destroying the Palestinian Authority and the infrastructure of Palestinian society in the occupied territories or targeting the Palestinian leadership will succeed. The continuation of these attempts is a waste of precious time and leads the region away from the road to peace, placing it instead on the road to confrontation and, indeed, anarchy. Some in Israel continue to believe that using extreme and excessive violence, such as that now being directed against the Palestinian people, their national institutions and their elected leaders, will achieve the security and peace that Israel seeks. On the contrary, Israel's use of violence and blind force forces the Palestinians to resist the occupying Power in their territories and will only prolong the confrontation and the dispute.

Fourthly, the applicability of the Fourth Geneva Convention to the occupied Palestinian territory is legal beyond any doubt. It is important that the contracting countries now assume their responsibilities and obligations under the Convention to ensure respect for it. While all realize that both parties have obligations that must be fulfilled, it is unacceptable to pressure the weaker party without addressing the party that holds the international legal responsibility under the Convention.

Fifthly, all influential Powers must now intervene to assist, objectively and fairly, in reaching the objective of controlling the confrontation and moving it towards the implementation of the Mitchell report's recommendations, in preparation for a return to the negotiations where they ended in December 2000 and January 2001. In this way, we can all contribute once more to reaching a just settlement that will achieve the following: first, ending the armed occupation and all other forms of Israeli presence in the Palestinian territories of the West Bank and the Gaza Strip; secondly, creating a viable and effective Palestinian State on Palestinian territory in the West Bank, the Gaza Strip and East Jerusalem; thirdly, concluding internationally supported, binding legal agreements to realize peace and security for both the Palestinian and Israeli parties within the borders of the Israeli State and the Palestinian State and entailing balanced and agreed security measures; and fourthly, establishing relations of good-neighbourliness and constructive cooperation between the States of Palestine and Israel, improving the relations between the Palestinian and the Israeli peoples and leading them towards new horizons of understanding.

Finally, on behalf of the Arab Group and other countries sponsoring the draft resolution in its parts A and B, I would like to urge all delegations to vote in favour of this document in both its parts, since it is moderate and balanced and reflects well-grounded legal and political positions. The international community seems to agree that the General Assembly's successful adoption of the draft resolution, after the Security Council's failure to adopt a draft resolution last week, will send a clear message to the Council that the role of the United Nations in the settlement of the Palestinian question is still relevant and valid, and that the international community, when it is asked for its opinion during a serious crisis such as this, will adopt by a majority a draft resolution in favour of a just, rational and balanced settlement. Such broad support will no doubt play a very important role in helping both parties and in facilitating their return to constructive negotiations.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): We would like to express our thanks and appreciation to you, Sir, for your statement and for your positive response to the request made by the Arab Group and the Non-Aligned Movement to resume the tenth emergency special session of the General Assembly. This resumption comes in the light of the failure of the Security Council to fulfil its primary responsibilities in the maintenance of international peace and security due to the exercise by one permanent member of the Council of the veto during the vote on a draft

resolution in the early hours of Saturday, 15 December 2001.

Thus, we meet today in the framework of the Uniting for Peace resolution, on the basis of the collective responsibilities of States Members of the United Nations in the maintenance of international peace and security and in the face of the dangerous and deteriorating situation in the occupied Palestinian territory, including Jerusalem, and its negative repercussions on the situation in the region as a whole.

We expect that Member States, in uniting for peace, will, by a great majority, adopt the same text of the draft resolution that was presented to the Security Council and another draft resolution concerning the Fourth Geneva Convention of 1949 and the important declaration adopted by the Conference of High Contracting Parties on 5 December 2001 in Geneva. As such, Members will fulfil their responsibilities and send the right message to the occupying Power, to the people under occupation, to the peoples and Governments of the region and, frankly, to the Security Council as well.

Some might wonder whether all of this can change the situation on the ground. For our part, we believe that resolutions of the emergency special sessions have special strength. Even if this is not the case, they, like resolutions of the General Assembly and other United Nations organs, have, at least, the full moral authority embodied in the international community and its representatives and, at best, the power of law. This should change the situation on the ground and, should it fail to do so, as has been the case with the Palestinian situation over the years, it will glaringly highlight the obscene situation in which one State considers itself above the law and publicly expresses its contempt for United Nations resolutions, under the cover and automatic protection of the super-Power of the world. That, and not the international will or meetings and resolutions of the United Nations organs, is the situation that must be addressed and brought to an end.

In this respect, we believe that the abnormal situation in the Security Council with respect to the question of Palestine, which has lasted for a long time, must be brought to an end. The prevention of the Security Council from fulfilling its responsibilities with regard to the situation in the Middle East and the question of Palestine cannot continue. We cannot accept that those important issues should be considered off-limits to the Security Council. This is therefore a problem — a huge one — that affects negatively the situation in the Middle East, the credibility of the Council and its ability to move effectively in other areas.

The important question here — relevant perhaps to the entire issue of international relations and even to the future of this Organization — is whether the Council is used by some only when it suits them or whether it represents and acts on behalf of all members of the international community; is actually responsible for the maintenance of international peace and security in all places and at times; and is an organ to the will of which all Members of the Organization comply without exception.

For our part, we will continue working and cooperating with all members of the Council in the hope of overcoming the existing crisis so as to enable the Council to fulfil its natural role. We will be the first to comply with its resolutions, but, for that to happen, the issue needs the General Assembly's collective support and efforts.

On 16 December 2001, President Yasser Arafat addressed the Palestinian people on the first day of the Holy Eid Al-Fitr. He insisted on the ceasefire and the necessity of compliance with the decisions of the Palestinian Authority. The President said:

> "I once more reaffirm today the immediate and comprehensive cessation of all military actions and I call again for the cessation of any acts of violence, especially the suicide attacks, which we have always condemned and whose perpetrators and planners will be held accountable, as well as the mortar shelling, which has no goal but to provide justification for Israeli attacks against us."

This address and its content represent a new Palestinian attempt to stop the dangerous deterioration on the ground and a big leap towards changing the existing dismal situation and reviving peace efforts. The most prominent feature of this address, however, is that it comes from the victim, from a people under occupation, while Palestinian cities and villages remain under siege and every Palestinian is being suffocated, almost to death. We made the statement nevertheless, not only because of the unbearable pain and suffering of our people, but also because of what we saw as a

clear international will and because of our wish to reach out to our Israeli neighbour, irrespective of its policies. We made it because we believe that all the peoples of the region deserve a better chance.

We have been and remain hopeful for a real change in the position of the Israeli Government. Unfortunately, this has not been the case and we stress the huge danger of that. Suffice it to note that, on the day following the address, the Israeli occupying forces killed four Palestinians, including two children and one case of an extrajudicial execution. Suffice it also to note that the Israeli side is now trying to invent new mechanisms to maintain or prolong the current dangerous situation.

We have not lost hope yet, but the international community must exert serious and genuine pressure on the Israeli side so that we can see a real change in its practices and policies. The absence of such change, in spite of the most recent Palestinian initiative, will have grave consequences the limits of which are known only to God.

The current Israeli Government has adopted policies undermining the peace efforts from the first day it came to power. Mr. Sharon has stated on more than one occasion that he seeks not a final settlement, but merely an agreement to end the fighting.

Mr. Sharon has also repeatedly declared his animosity towards the Mitchell Committee, and hence towards its recommendations. In order to evade implementation of the recommendations, he invented the precondition of seven quiet days, as if a period of quiet would lead to implementation of the recommendations instead of the implementation of the recommendations by the two sides leading to a period of quiet, an end to the violence and a resumption of the peace process. Having successfully buried the recommendations of the Mitchell report for quite some time, Mr. Sharon has now made a new demand, namely, that the Palestinian Authority must first combat and end terrorism before peace negotiations can begin. Meanwhile, however, Israel continues to assault the Authority and its institutions, disabling its security apparatus and preventing it from functioning. Finally, Mr. Sharon has announced a boycott of the Palestinian Authority, which is tantamount to abandoning the negotiating process and seems to be a prelude to abandoning existing agreements between the two sides.

These are the basic political announcements made by the Israeli Government and its leader. They strongly convey that Government's persistence in continuing its confrontation and violence and its rejection of any attempt to establish peace. I regret to say that some have tried to provide cover for some of these positions, whether deliberately or not, thereby encouraging the Israeli Government to continue its destructive policies and its aggression against our people.

Israel, the occupying Power, recently viciously escalated its bloody military campaign against our people and the Palestinian Authority. It has intensively used military aircraft — F-16s and helicopter gunships — tanks and other weaponry. It has reoccupied parts of the areas under full Palestinian control, intensified its siege of Palestinian cities and destroyed many Palestinian institutions and symbols of the Authority — including such public utilities as the Gaza International Airport and the Voice of Palestine radio. Of course, all of this has been accompanied by significant human losses and an atmosphere of widespread fear and terror among Palestinian civilians.

Prior to the current escalation, Israel's campaign had been incessant since Ariel Sharon's infamous visit to Al-Haram al-Sharif on 28 September 2000. During that period Israeli occupying forces killed over 830 Palestinians, in addition to the hundreds of other Palestinians martyred as a result of the occupation through various means such as preventing ambulances from moving about freely. Israeli occupying forces have also injured approximately 30,000 Palestinians, many of whom have suffered permanent disabilities, and have caused tremendous suffering for all the Palestinian people. The occupying forces have also committed deliberate killings. Israel, the occupying Power, has officially adopted a policy of extrajudicial executions. It has also caused widespread destruction of individual and public properties, including economic institutions, and has uprooted thousands of trees and razed agricultural lands. All of these acts are grave violations of the 1949 Fourth Geneva Convention. The occupying Power has also committed other serious violations of the Convention. Those include the imposition of closure and severe restrictions on the movement of goods and persons, siege, suffocation and collective punishment.

I would like to refer to the Conference of High Contracting Parties to the Fourth Geneva Convention, which was convened on 15 July 1999 and reconvened

on 5 December 2001, when it unanimously adopted an extremely important declaration. We wish to express our appreciation to the High Contracting Parties that took the step of convening the Conference for the first time in the history of the Conventions. We also express our appreciation to Switzerland for its important contributions in its capacity as the depositary State. Among other things, the declaration called on the occupying Power to immediately refrain from committing grave breaches of the Convention involving any of the acts mentioned in article 147, and to refrain from any other violations of the Convention. Regrettably, Israel has continued, and even escalated, its violations.

At this tenth emergency special session of the General Assembly, we, on the basis of the clear provisions of the Fourth Geneva Convention and Additional Protocol I thereto, hereby charge the Government of Mr. Ariel Sharon — the Government of the occupying Power — with the commission, pursuant to the official policies of that Government, of war crimes against the Palestinian people. Furthermore, we hold that Government responsible, in accordance with article 29 of the Convention, for all other war crimes committed by members of the occupying army and by Israeli settlers. The responsibilities of the High Contracting Parties to the Convention are very clearly defined in common article 1 and article 148 of the Convention. We also charge Israel, the occupying Power, with carrying out State terrorism against our people, as it has engaged in the killing of civilians and in wide-scale destruction of property with the aim of instilling fear and terror among the population and forcing them to submit to its political positions. The responsibilities of the international community are also clear, particularly in the light of the campaign against international terrorism. Our people and our region, and many in our world, are watching to see how the international community will deal with this grave and tragic matter.

The Israeli occupation of our land and our people nevertheless remains the main predicament and the origin of all the disasters that have taken place. The only solution to this situation is to end the occupation and to ensure the rights of our people, including their right to establish their own independent State with Al-Quds Al-Sharif as its capital. Making that and coexistence between the two States of Palestine and Israel a reality is the only way to bring about security, stability and peace for both sides and for the region.

In that regard, we would like to express our appreciation for what President George W. Bush stated before the General Assembly and for what Secretary of State Powell said on 19 November with regard to the Middle East. We accept the content of that statement as a basis for moving forward, both with regard to dealing with the current situation on the ground and with regard to a final settlement between the two sides.

We also express our appreciation to the envoys of some of the parties concerned, including the United States, the Russian Federation, the European Union and Secretary-General Kofi Annan. Of course, we also thank all of our friends, including the Organization of the Islamic Conference and the Non-Aligned Movement, for their principled and continuous support. We also wish to thank our brothers in the Arab world.

We are confident that this emergency special session will contribute to bringing the current dangerous crisis in our region to an end, as well as to the important efforts being made towards the realization of the rights of our people and the establishment of peace in the Middle East.

The President: Before proceeding, in view of time constraints and the wish expressed by the delegations concerned to conclude this resumed emergency special session in one meeting, and due to the long list of speakers, I should like to appeal to the delegations that will speak to be as brief as possible. That will make it possible for us to conclude this emergency special session in one meeting.

Mr. Kumalo (South Africa): It is an honour indeed to speak in support of the two draft resolutions on Palestine which are before the General Assembly today.

We come before the Assembly because the Security Council, whose responsibility it is to maintain international peace and security, has once again failed the people of Palestine. By failing to adopt the draft resolution presented to it last Friday night, 14 December, the Security Council left the people of Palestine with no option but to seek an urgent meeting of the General Assembly. The General Assembly has the responsibility to deal with the issue of Palestine, which has been on its agenda for more than 50 years.

The situation in the Middle East is critical. The entire area is gripped in a cycle of violence which seems to lead to even more bloodshed. The international community must take action. We hope that overwhelming support for the draft resolutions before the General Assembly will send a message of support for the peace process in the Middle East.

The Non-Aligned Movement wishes to reiterate its commitment to working towards a negotiated settlement. However, in order to make this a reality in which both sides, the Israelis and the Palestinians, share a common vision and are therefore able in good faith to discuss the most difficult of final-status issues, as equals working towards a common goal, remains the challenge. There is no question but that the responsibility for negotiating peace lies with the two parties in the Middle East, namely the Israeli Government and the Palestinian Authority.

The United Nations too has a role in the Middle East peace process and a solemn responsibility to encourage a peaceful resolution of the conflict. When the Security Council draft resolution of 14 December 2001 was vetoed, yet another opportunity to encourage the parties in the Middle East to return to the negotiating table was lost. My delegation is concerned that the veto may be misconstrued by those who are opposed to peace and by others who are fomenting violence. It has become extremely urgent that the Security Council consider establishing a monitoring mechanism to help the parties implement the recommendations of the report of the Sharm el-Sheikh Fact-Finding Committee, known as the Mitchell report, so as to help create a better situation in the occupied Palestinian territories. That mechanism would also provide the Security Council with an independent assessment of the situation on the ground.

On 5 December 2001, the High Contracting Parties to the Fourth Geneva Convention of 1949 met at Geneva to consider the deteriorating situation in the Middle East. The High Contracting Parties, in paragraph 12 of their declaration, called upon the occupying Power to fully and effectively respect the Fourth Geneva Convention in the occupied Palestinian territory, including Jerusalem, and to refrain from perpetrating any violation of the Convention. It reaffirmed the illegality of the settlements in the said territories and of the extension thereof. It recalled the need to safeguard and guarantee the rights and access of all inhabitants to the holy places. We urge the General Assembly to endorse the declaration of the High Contacting Parties, which met at Geneva on 5 December 2001.

In conclusion, let me once more reiterate a long-standing principled position of the Non-Aligned Movement calling for the creation of an independent Palestinian State with Jerusalem as its capital. We believe that the achievement of statehood will go a long way towards meeting the aspirations of the people of Palestine and bringing about a lasting and comprehensive peace in the Middle East region.

Once again we call for, and urge, an overwhelming vote in favour of both of the draft resolutions before the Assembly today.

Mr. Fall (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*spoke in French*): The States Members of the United Nations have returned to the General Assembly Hall to resume the tenth emergency special session in order to enable the Organization to shoulder its permanent responsibility with respect to the question of Palestine in view of the apparent inability of the Security Council to shoulder its own responsibilities in a comprehensive manner.

For the past 14 months, the situation has undoubtedly been explosive. The peace process has been stymied and the future looks dark owing to the flare-up in violence in the occupied Palestinian territories, including Jerusalem. Plunged into a perverse cycle of confrontation, which is essentially — I do not say exclusively — the result of the policies of occupation and the disproportionate repression carried out by the Israeli army. This includes the closure of towns and cities, extrajudicial executions, massive destruction of property, commercial blockades, financial asphyxiation, the strangulation of the Palestinian economy, the dismantling and disruption of the administration of the Palestinian Authority, et cetera.

The present warlike atmosphere and the suffering imposed on the civilian population, especially on the Palestinians, are crossing a tragic threshold. In retaliation for the early-December massacres of civilians that took place in Jerusalem and in Haifa — which the Committee on the Exercise of the Inalienable Rights of the Palestinian People has firmly condemned — the Israeli army has carried out devastating, murderous attacks on the Palestinian

territory, destroying Gaza airport and the helicopters there, as well as Palestinian Authority offices. The result has been the dismantling of the administration at a time when the Israeli cabinet is unfairly reproaching President Arafat for being unable to impose his authority on the extremists responsible for anti-Israeli attacks.

Deliberately ignoring the desperate efforts of a Palestinian Authority that is doubly weakened by complicity among extremists of every stripe, the occupying Power has chosen to exploit the gravity of an international situation in which the world was painfully stunned by the 11 September tragedy by whipping up the outpouring of legitimate emotion into a frenzy. Worse still, some high Israeli officials — some of them among the most important — regrettably add to this with daily verbal aggression and insult intended to demonize the Palestinian Authority and to portray its President as the devil in spite of his repeated denunciations of attacks on Israelis and in spite of the accompanying measures by the Palestinian Authority's security services against extremist elements. Moreover, a climate of distrust, defiance and suspicion is deliberately cultivated in order to discredit, marginalize and possibly eliminate from the peace process President Yasser Arafat, who is confined to Ramallah, in the West Bank, under virtual siege by the Israeli army.

If we are not careful, the option of military escalation and anti-Palestinian aggression, in parallel with the security role that the occupying Power has underhandedly obliged the Palestinian Authority to play, could strengthen the enemies of peace and further spread the intifadah among people whose bodies have been injured, whose property has been stolen and whose dignity has been wounded.

Frustrations are mounting; anger is rising; and rage is flaming throughout the occupied Palestinian territories to such an extent that the international community, and the United Nations in particular, must intervene in order to halt, contain and defuse the unforeseen consequences of the terrible tragedy in the Middle East, over and above the important and recurrent question of Palestine. The United Nations has no option but to act diligently and resolutely to put an end to the confrontation and to rescue the negotiations before 10 years of sacrifice and efforts for peace on the part of all the parties — the co-sponsors of the peace process, the United States, the European Union, the Russian Federation and all other actors — are reduced to nothing.

Our Committee condemns, even-handedly and regardless of the motivations, any acts of terror and violence against civilians, whether Palestinian or Israeli, as well as extrajudicial executions and the inordinate use of force. At the same time the Committee, with the active support of the Secretary-General and the cooperation of Member States and non-governmental organizations, is striving to make the international community, in particular the co-sponsors of the peace process and the Security Council, sensitive to the indispensable need to put an end to the violence and bring the parties to the conflict back to the conference table. In keeping with the American momentum for peace, initiated by President George Bush and outlined in Louisville by Secretary of State Colin Powell, our Committee is calling upon all people of good will to help the belligerents to rise above the vicious cycle of confrontation in order to give greater chances for success in resuming the peace process.

We must point out with gratitude that the President of the Palestinian Authority has taken meaningful steps by re-stating his firm commitment to a just and comprehensive peace, the peace of the brave. For its part, yielding to the urging of Europe and America, Tel Aviv stated that all was not lost, thus confirming its adherence to Security Council resolutions 242 (1967) and 338 (1973) while saying that it is paying close attention to the reactivation of the American initiative.

It still remains to translate these good intentions into action by structuring them, in a clear manner, around the following considerations, incorporated in the draft resolution which the Security Council rejected on 15 December, in spite of 12 votes in favour and 2 abstentions.

First is the immediate, unconditional and total withdrawal of Israeli forces from the occupied Palestinian zones, an immediate end to acts of violence and provocation and sending to the field a protection and/or observation force. Secondly, there is the issue of respect for the principles set out in the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War and in the relevant United Nations resolutions, principles reaffirmed in the declaration resulting from the Conference of High Contracting Parties held in Geneva last December.

Similarly, peace negotiations should be resumed, in accordance with the agreed timetable, on the basis of the Mitchell recommendations and the Tenet plan, with the establishment of a supervisory mechanism. Finally, and above all, there is the conclusion of a comprehensive, just and lasting settlement, in keeping with Security Council resolutions 242 (1967) and 338 (1973) and in virtue of the principle of "land for peace", which the General Assembly has just re-stated in resolution 56/36, which was adopted by an overwhelming majority.

The credibility of the United Nations is at stake, particularly the credibility of the co-sponsors of the peace process and other actors. They must never lose sight of or attempt to hide the fact that any lasting solution to the crisis in the Middle East absolutely must be built on the prior restoration of the inalienable right of the Palestinian people to self-determination and the creation of an independent State, with the understanding — and our Committee will never tire of repeating this — that Israel and Palestine each have a right to exist in peace and to develop in an atmosphere of dignity and security within safe and internationally guaranteed borders.

Before concluding, I would like to underscore the particularly important part played by the international donor community in contributing to the Palestinian people in distress significant economic assistance and appreciated emergency assistance, which, now more than ever before, must be increased and intensified in view of the tremendous destruction that has occurred on the ground.

Finally, I would like to reaffirm the constant position of our Committee, one in keeping with that adopted by the General Assembly — namely, that the permanent responsibility for the question of Palestine must remain with the United Nations until it is definitively and fully settled. We commend the efforts for the Middle East peace process made by the Secretary-General and his Special Coordinator. Our Committee ardently hopes that the resumption of the tenth emergency special session of the General Assembly will, with the cooperation of all Member States, with no exclusions, produce concrete results in keeping with the best interests of the people of the region, in particular the cousins of Palestine and Israel.

I thank you, Mr. President, and through you, the Member States, for the massive support they will give to the draft resolution just introduced by the representative of Egypt. The Committee endorses it resolutely.

The President: I now give the floor to the representative of Chile, who will speak on behalf of the member States of the Rio Group.

Mr. Maquieira (Chile) (*spoke in Spanish*): In the face of the rapidly deteriorating situation in the Middle East, where acts of violence involve and affect the Governments and people of both Israel and Palestine, the Rio Group considers it imperative to reiterate the position set out in the declaration issued by the Ministers of Foreign Affairs of the Group on 14 November, at the fifty-sixth session of the General Assembly.

The Rio Group reaffirms its support for Security Council resolutions 242 (1967) and 338 (1973), which established the legal framework for a comprehensive, just and lasting solution to the conflict in the Middle East. The Group thus recognizes the inalienable right of the Palestinian people to establish an independent, viable and democratic State. To that end, it reaffirms the essential role of the President of the Palestinian National Authority, Yasser Arafat, as the legitimate interlocutor of the Palestinian people. Likewise, we also recognize the right of Israel to exist in a safe environment within secure and internationally recognized borders.

The Rio Group notes with concern and regrets that the peace process negotiations begun in Oslo in 1993 have been suspended, giving rise to an escalation of violence, reprisals and the excessive use of force, which is an affront to the principles of all civilizations and represents an ongoing violation of human rights and international humanitarian law, particularly the rights of innocent civilians.

It would be irresponsible and unacceptable to allow this situation to continue. In this context, the Rio Group urgently appeals to the parties to immediately cease all acts of terror and violence and to return as soon as possible to negotiations under the peace process, especially through the immediate implementation of the Mitchell plan. The Rio Group urges the Government of Israel and the Palestinian Authority to adopt constructive positions that help to promote a dialogue and rise above violence, and to avoid unilateral acts that could irreversibly affect the peace process.

The Rio Group wishes to reiterate its readiness to join forces with other countries of the international community to achieve a definitive peace agreement for the region.

Mr. Mwakawago (United Republic of Tanzania): I have the honour to speak on behalf of the Group of African States in my capacity as Chairman for the month of December. We would like first of all to express our appreciation to you, Sir, for convening this emergency special session of the General Assembly to consider the current deteriorating and volatile situation in the occupied Palestinian territories and Israel's actions.

As we speak today, the situation in the Palestinian territories is more threatening than ever, as it reverses the achievements of the recent past towards a negotiated settlement. The recent tragic and violent events in that area, coupled with the excessive and disproportionate use of force by the Israeli army, cannot be allowed to continue unabated. The ongoing violence and terror, which have resulted in an untold number of deaths and injuries among Palestinian and Israeli civilians, are a matter of grave concern to all peace-loving people. The lingering question has been and is: how many more lives should be lost before the international community can be galvanized into action to put an end to this cycle of violence and give peace a chance?

The use of deadly military force is surely not the answer. It only fuels more violence, anger and resentment in the people, thus exacerbating the situation to untenable proportions. There are certainly other ways of controlling the situation and dealing with the culprits. There cannot be a military solution to the conflict. Peaceful negotiation is the only means of ensuring lasting peace, security and stability in the region.

Like those who have spoken before us, we call for an immediate cessation of violence by both parties — Palestine and Israel — and the resumption of peaceful negotiations on the basis of the recommendations of the Mitchell Committee's report. The gains of Oslo, which generated optimism for achieving comprehensive and lasting peace in the Middle East, need to be preserved.

The statement by President George W. Bush before this body recognizing the right of the Palestinians to a viable State is a significant development in an otherwise intractable situation. Consequently, the inalienable right of the Palestinian people to self-determination and to an independent State is no longer a matter of debate, but requires the expeditious and full implementation of Security Council resolutions, in particular 242 (1967) and 338 (1973). In this connection I would like to underscore the principle of land for peace as the only basis for a just, lasting and comprehensive peace in the Middle East. Indeed, the Mitchell report underpins that principle.

Let me in closing reiterate the support of the Organization of African Unity for the right of the Palestinian people to receive immediate international protection against Israeli aggression, and the urgent need for Israel to respect all humanitarian laws in the Palestinian lands occupied since 1967, including East Jerusalem, as provided for by the Fourth Geneva Convention of 1949. The African leaders at the Lusaka summit in July 2001 called for the full implementation of all peace agreements and urged the sponsors of the peace process, the parties concerned and the international community to deploy all efforts to revive the peace process and ensure its success. This call is indeed compelling today as we deliberate on the way forward in reviving the peace process that has ground to a halt.

Given the deteriorating situation on the ground, it is imperative that the consideration of deployment of a United Nations observer force be expedited, in addition to establishing a monitoring mechanism to help the parties implement the recommendations of the Mitchell report. Such measures will provide protection to the beleaguered Palestinians and instil hope for the peace process. The explosive situation in the occupied Palestinian territories demands nothing less of us.

Lastly, but not least, the people of the Middle East deserve peace and tranquillity. As for the Palestinian people, they need hope for a better future in their own homeland and an independent Palestinian State. We are here to give them that hope. There are enough instruments and resources to make that hope a reality. The international community is certainly capable of delivering on its commitments if enough political will is marshalled. We should not fail the people in the Middle East, and Palestinians in particular.

Mr. Fadaifard (Islamic Republic of Iran): I wish first to thank you, Sir, for convening this important meeting at this critical time for the Palestinian people and the whole Middle East region. I also would like to offer the people of Palestine our most sincere condolences on the continued loss of life and injuries inflicted on them by the Israeli forces in the occupied territory in the past months.

The inhuman oppression of the Palestinian people is outrageous and has infuriated public opinion across the world, including in my country. It is a further outrage to witness some efforts — though increasingly isolated — to shield the perpetrators of such horrendous crimes from the wrath of world public opinion and to obstruct world bodies from fulfilling their duties vis-à-vis the atrocities being committed in the occupied Palestinian territories. We hope that the tragedy unfolding in the occupied territories and the loss of so many precious lives finally move those who have tried to obstruct the Council's fulfilment of its responsibilities on the question of Palestine.

The Assembly resumed its tenth emergency special session with a view to rightfully fulfilling its responsibility, with regard to the cessation of Israel's illegal activities in the occupied Palestinian territory in the face of the Israeli regime's continuing, total disregard for the demands of the international community, as represented by this Assembly. The fact that the Security Council was prevented for the second time this year from carrying out its responsibility for the maintenance of international peace and security was a further reason that necessitated the convening of this meeting. The resolutions adopted so far by this emergency special session in the course of past years have condemned Israel for failing to comply with the provisions of the Fourth Geneva Convention and the decisions of the General Assembly.

The most recent cycle of violence in the occupied Palestinian territories is a further cause for concern for the international community. This cycle was set in motion by the Israelis' killing of five students on 22 November and their extrajudicial killing of a Palestinian the day after. We believe that that act of terror was intentionally devised to defeat the new round of international efforts to address the grievances of the Palestinian people. By holding this session, the general membership of the United Nations is demonstrating its outrage at such illegal activities by Israelis in the occupied territories and its determination to follow up on the Palestinian question.

The consensus expressed and maintained by the international community over recent decades explicitly stresses the applicability to all the occupied Arab and Palestinian territories of the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. The continuation of illegal acts by the Israeli regime constitutes an intentional and complete violation of this Convention, as well as of numerous United Nations resolutions and international legal and political instruments. The excessive use of force by the occupiers and the killing of Palestinian civilians are on the long list of grave breaches of the Fourth Geneva Convention committed by Israel as the occupying Power. It is also significant that the Israelis continue to reject the call for a freeze on all settlement construction activities in the West Bank and Gaza. That really attests to the real intentions of the occupying Power. The severe restriction imposed by the Israeli regime on the movement of persons and goods in the occupied territories is still in place. There is no doubt that such a restriction amounts to imposing collective punishment on an entire population, severely damaging, inter alia, the efforts made by the Muslim peoples to provide emergency medical support to thousands of Palestinians injured by the Israeli forces. We believe that in any circumstances, it is absolutely necessary for the international community to look into the massacres committed by the Israeli forces with a view to bringing the perpetrators to justice.

The Israeli actions and policies are undoubtedly the main source of instability and insecurity in the region, creating an atmosphere of fear and anxiety among nations of the region, as well as in the entire international community. The agony is deepened when the world sees that Israel even disregards its obligations and commitments arising from the agreements which it has willingly entered into, despite the acknowledged fact that these agreements have been designed mostly in Israel's favour. The ongoing settlement activity is the most vivid example in this regard.

The question of Palestine continues to remain the responsibility of the United Nations, as the only universal and most representative body of the international community. As such, it cannot and must not fail the people of Palestine. The Middle East region has been marked by enduring crisis, constant tension

and destructive confrontations for more than half a century. This requires that the international community, represented by this Organization, effectively tackle the Palestinian issue with a view to bringing durable peace and justice to the Palestinian land and tranquility to the region as a whole.

Mr. Jacob (Israel): This past Sunday, increasing international pressure finally moved Palestinian Authority Chairman Yasser Arafat to address the issue of terrorism. Speaking in Arabic on Palestinian television, Chairman Arafat spoke about the need to stop violent terrorist attacks against Israelis. Chairman Arafat's statement was broadcast and rebroadcast across the world, and the world held its breath, wondering, hoping and praying that perhaps this time he truly meant it, that he would back up his words with equally resolute action and that we would not again be disappointed.

For all those who wondered, hoped and prayed, I am afraid we now have an answer. Chairman Arafat's attempt to prove to the world that he had finally shed the garb of the violent revolutionary lasted barely two days. Speaking before a rally in the city of Ramallah this past Tuesday, Chairman Arafat delivered another, vastly different speech. In that speech, he stated the following:

> "With God's help, next time we will meet in Jerusalem because we are fighting to bring victory to our prophets. Every baby, every child, every man, every woman and every old person and all the young people — we will all sacrifice ourselves for our holy places, and we will strengthen our hold on them. We are willing to give 70 of our martyrs for every one of theirs in this campaign because this land is ours. We will continue to fight for this blessed land, and I call on you to stand strong."

Are these the words of a leader who is intent on fulfilling his recent declaration to end violence and terror? Is this call to arms compatible with the Palestinian leader's stated desire to reach a peaceful resolution of the conflict between our two peoples?

The cynicism of the Palestinian leadership knows no bounds. In recent weeks, as the intensity of the Palestinian terrorist campaign against Israel has reached a feverish pitch, a resounding chorus of world leaders have called upon Chairman Arafat to end the violence and the terror. This was Chairman Arafat's moment, his moment of truth, his opportunity to demonstrate to Israel and the world that he was not merely trying to appease his Western audience. Despite his speech on Palestinian television, it is clear that Chairman Arafat is once again heading down the road on which he has travelled countless times in the past — the road of duplicity, deceit and evasion; in short, the road to nowhere.

The Palestinian Authority has failed to take the steps necessary to end the violence and terrorism, steps that are a vital precondition for the resumption of political negotiations. Key terrorist figures are still at large; incitement still pours forth from Palestinian leaders and official media; illegal weapons have not been confiscated; and basic commitments to dismantle the infrastructure of terrorist organizations such as Hamas and Islamic Jihad remain unfulfilled. Those terrorists that are arrested are released within a few hours or a few days.

This emergency special session, which I wish to note violates the basic legal conditions set out for its convening, represents the continuance of the Palestinians' drive to win international sanction of their intransigence. After failing to prevail in the Security Council last Friday, they are now turning to the General Assembly to exert pressure on Israel and, yet again, to permit the Palestinian leadership to avoid taking the action that the world has demanded of it.

The Palestinians are unfailingly energetic in their efforts before international forums. Numerous one-sided resolutions are adopted by the General Assembly every year. The United Nations expends copious scarce resources each year to publicize the Palestinian cause, and an entire division of the Secretariat is devoted exclusively to advancing Palestinian rights. High Contracting Parties to the Fourth Geneva Convention met recently at Geneva to exert pressure on Israel. The Security Council met less than one week ago to consider the situation in the region.

The Palestinians spare no effort when it comes to international forums, but they refuse to do the one thing that would truly advance their cause and remove the greatest obstacle to the advancement of peace and security in the region: ending the terror; ending the incitement; ending the violence.

It is repeatedly claimed that the root of the conflict in our region is the occupation, an occupation that Israel never wanted and that it has gone to

unprecedented lengths to end. But with the images of murdered and maimed Israelis filling television screens on a daily basis, an objective observer would be forced to acknowledge that terrorism is the immediate and central obstacle to peaceful dialogue. And it is only through peaceful dialogue that we can ensure the security and the prosperity of both peoples.

Only in United Nations resolutions is the basic reality of our conflict so grossly misinterpreted. The draft resolution under consideration today is but another example of the counter-productive effort that precisely misses the point. It serves merely to divert the attention and the resources of the international community, and to relieve the mounting pressure on the Palestinian leadership to finally exert its authority to bring an end to violence and terrorism. The tired notion of occupation as the root of the conflict is revived each and every time the Palestinians need to avoid taking responsibility for the hatred and terrorism that they have fostered or to deflect criticism for their failure to respond to Israel's unprecedented offer at Camp David with anything other than bombs and gunfire. Furthermore, the draft resolution would steer the parties away from the fundamental imperative of ending terror and violence so that dialogue can resume. It makes assertions which seek to prejudice the outcome of the negotiations and to establish a false correlation between those who perpetrate terror and those who fight it.

Taken as a whole, the draft resolution invokes misleading language and amounts to an effort to provide diplomatic cover and to manipulate the United Nations into providing a rubber stamp for the chronic failure to end the Palestinian terrorist campaign. The draft resolution is, quite simply, out of touch with the reality in the region and would guarantee the irrelevance of the General Assembly in any effort to restore calm to the region.

Palestinian terrorism is a menace that is only growing stronger. This year alone, there have been 27 Palestinian suicide attacks against Israel and nearly 3,000 attacks overall. Hundreds have been killed, thousands have been injured, and nothing has been accomplished either for Palestinians or Israelis, save for a turning back of the clock to a period of greater mistrust and animosity.

The drafters of the "Uniting for peace" resolution, resolution 377 (V), could never have imagined that its provisions would be used to further the interests of those who themselves endanger peace and security in contravention of its procedural preconditions. By adopting the draft resolution before it today, the Assembly would enable the Palestinians to circumvent the international pressure that has rightfully been exerted upon them to fight terror. By taking such an action, the Assembly would undermine its own credibility in the light of its call, in the wake of the attacks of 11 September, for a comprehensive and unrelenting campaign against terrorism.

I say today, as I have said unwaveringly from the outset, that Israel is committed to the Middle East peace process. We are committed to the full implementation of the Mitchell report in its designated sequence. And we are committed to engaging in serious and substantive negotiations on the basis of Security Council resolutions 242 (1967) and 338 (1973), conducted in a spirit of partnership and goodwill, which will pave the way for a future of peace and coexistence between our two peoples. But the first step back to that path must be, can only be, an end to terror.

The fifty-sixth session of the General Assembly opened after the most horrific terrorist attacks in history with the promise that terror would be fought wherever and whenever it exists. We cannot now, as that session draws to a close, renege on that promise.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): On behalf of the delegation of Qatar, which had the honour to preside over the recent ninth Extraordinary Session of the Islamic Conference of Foreign Ministers, I wish at the outset to thank you, Sir, for having responded quickly to the request made by the Permanent Representative of Egypt on behalf of the Arab Group for a resumption of the tenth emergency special session of the General Assembly at a tragic time when the Palestinian people and the Palestinian National Authority are victims of a cruel, bloody military campaign waged by Israel, the occupying Power.

Israel's helicopters have been raiding the buildings of the Palestinian Authority, their tanks and bulldozers have destroyed houses, and these occupation forces have used their aircraft — helicopter gunships — to bomb a number of security installations and ministerial buildings in Jenin, Ramallah, Tulkarm, Khan Yunis, Nablus and other locations.

By using armoured personnel carriers and tanks, the Israeli occupation forces have encroached on the land of the Palestinian Authority and have occupied it again. They have imposed economic blockades and collective punishment, and they have used excessive force that is continuing to date. All this military apparatus is mobilized against defenceless Palestinian civilians. The attacks have also been directed against urban centres, thus producing tremendous losses in property and life, including the lives of dozens of children.

The Palestinian population is living in a state of fear and terror. The operations are aimed at political leaders, and extrajudicial executions have been carried out. Repeated raids have been carried out against areas under Palestinian control. The situation today is very explosive.

In parallel with these barbaric acts of State terrorism on the part of Israel, verbal insults are proffered by high officials, including Ariel Sharon, who has declared war on the Palestinian Authority and on the Palestinian people. His intention in carrying out this extraordinarily cruel policy is to reduce to nothing the Palestinian people and the Palestinian Authority. He has made declarations to sever all contact with President Arafat. He is trying to depict his acts of war and terror as part of an anti-terrorism campaign.

At a time when Israel is committing these atrocities, it expects the Palestinian Authority to shoulder its responsibilities for security, but this is patently impossible. All such military actions lead to certain failure in achieving better security conditions. They have escalated tensions, sharpened hatred and increased the violence. Proof of this fact is President Arafat's statement made on 16 December 2001 when he called for an end to military attacks by both sides and for a resumption of the dialogue. He called upon the Palestinian people to respect and comply with this initiative, but Israeli forces continued to attack and have sent armoured cars, tanks and helicopter gunships to destroy police stations and other buildings. Israeli tanks invaded entire areas in the West Bank and the Gaza Strip and took as their victims unarmed civilians, including children. Mr. Sharon has publicly declared that he is against any peaceful settlement, against the implementation of the Mitchell Recommendations and against any serious plan to bring things back to normal.

The situation has been deteriorating in the occupied Palestinian territory, including Al-Quds Al-Sharif, and in view of the threat looming over the people, the international community must shoulder its responsibilities and take urgent measures to contain this disaster. Israel must immediately put an end to its military and political attacks on the Palestinian people and its national authority.

According to the Charter, it is incumbent upon the United Nations, and the Security Council in particular, to shoulder its responsibility for maintaining international peace and security. We cannot sit here as passive spectators as the situation spins out of control. Resolution 181 (1947) of the United Nations, and Security Council resolutions 242 (1967) and 338 (1973), inter alia, have established a basis for the participation of the United Nations in a peaceful settlement of the situation in the Middle East. We cannot accept or justify the paralysis of the Security Council when it comes to the situation in Palestine and the Middle East. The Security Council must forthwith intervene, otherwise the risk of the Middle East erupting into a global war becomes more tangible. That the international community does not want.

We are at a crucial, extremely dangerous point in the Middle East crisis. The Israeli Government has said that it has broken off all contacts with Yasser Arafat and the Palestinian Authority. What makes the situation even more serious and perilous is that today the President of Palestine is almost under house arrest. He cannot be marginalized; he is the main interlocutor and participant in the peace process, and many countries have condemned the decision of the Israeli authorities to exclude him from the peace process. That decision can jeopardize the entire process, and we cannot accept this. We cannot accept any attempt on President Arafat's life.

Hamad bin Khalifa Al-Thani, the Emir of Qatar, addressed the conferees at the opening of the special session in Doha on 10 December, urging them to be careful and not to forget that their prime cause was the Al-Aksa Mosque in Palestine and also the Palestinian State. They knew that the situation of the Palestinians was at a critical stage, whether from the Arab or Islamic point of view. If the forces of occupation continued to wreak havoc, to carry out executions and assassinations for political reasons, to starve the population, to destroy the infrastructure, to violate rights, to forbid access to the Al-Aksa Mosque, all that

could only lead to a further deterioration of the situation. He went on to warn that they were at a crossroads, and that Arabs, Muslims and members of the international community must act. He urged all to strengthen their faith in international law and legality, as that would be the only way to put an end to daily violations of rights. Were the situation to continue, and were they to continue to shirk their duties and evade their international responsibilities, they would all be responsible for a further deterioration of the situation, which would affect not only the Palestinians and the Israelis, but all the peoples of the Middle East.

The Emir of Qatar has thus urged all States with influence and vital interests in the Middle East to bring pressure to bear on Israel and urge it to cease and desist, because there is no alternative to allowing the Palestinian people to enjoy their legitimate right to self-determination and self-defence.

The Final Declaration of the Doha session condemned any recourse to force by Israel. Israel was warned not to pursue such policies, which infringe upon the national rights of Palestinians and weaken the institutions and legitimacy of the Palestinian Authority. The Declaration called on Israel to put an end to its dangerous policies aimed at jeopardizing stability and security in the region. The Palestinian people were invited to rally behind the Palestinian Authority and President Arafat. The Declaration stated that the Security Council is the body responsible for international peace and security and invited the Council to intervene without delay to send an international protection force to guarantee the security and safety of the Palestinian people and to ensure the implementation of the resolutions and decisions adopted by the international community. Terrorism must not be confused with the inalienable right of the Palestinian, Lebanese and Syrian people to resist Israeli occupation and aggression. All attempts to claim that actions against Israel are not in self-defence must be condemned. Unlimited support for Israel should be rejected; State terrorism carried out by Israel in the occupied Palestinian territories must also be condemned. It is very clear that the international community believes that the Israeli occupation of Palestinian territory is illegitimate and immoral. An overwhelming majority voted in favour of resolution 56/36, entitled "Peaceful settlement of the question of Palestine".

Recent statements by President George W. Bush and Secretary of State Colin Powell of the United States on the question of Palestine are extremely important. Those comments testify to the fact that the Arab-Israeli conflict is, in its essence, a result of Israel's continuing occupation of Palestinian and Arab territories. Genuine, quick and tangible measures must be taken to follow up those statements and declarations.

Peace in the Middle East is in the interests of everyone, including both Arabs and Jews. We must therefore build a strong foundation for peace, rather than taking actions that place it in jeopardy and merely result in the further escalation of violence. The Israeli people have everything to gain from a resumption of the peace process. The people of Israel must therefore compel their Government to build on the foundation of peace and to cease its military operations. The people of Israel must realize that they will never live in peace unless Israel guarantees peace and security for everyone — for itself, for the Palestinian people and for neighbouring States, on the basis of Security Council resolutions 242 (1967) and 338 (1973). Pursuing a policy of violence, confrontation and military operation will not bring peace. Peace will be possible only if Israel respects the provisions of the Fourth Geneva Convention of 1949 and all the relevant decisions and resolutions adopted by the United Nations.

The recommendations of the Mitchell Committee must also be implemented, as well as those of the Tenet plan, and a monitoring mechanism must be put in place. We invite all States having influence over Israel to deploy every effort to bring Israel back to the negotiating table and resume the dialogue.

Finally, as we hold the presidency of the ninth session of the Organization of the Islamic Conference, Qatar would like to express its support for the draft resolution in document A/ES-10/L.7, which is before the General Assembly at this tenth emergency special session. We call upon all peace-loving States to support the draft resolution.

Mr. Kolby (Norway): The situation in the Middle East is cause for great concern. The achievements of recent decades are in jeopardy. The tragic and appalling events of 11 September have made progress in resolving the Israeli-Palestinian conflict even more urgent. The vicious cycle of violence and terror must

be stopped. We cannot allow the Middle East conflict to get out of hand. The consequences would be disastrous to the Israelis, as well as to the Palestinians, not to mention the region as a whole.

Norway welcomes the commitment of the United States to intensify its engagement in the Middle East peace process, as outlined by President Bush before the General Assembly and by Secretary of State Colin Powell in his statement in Kentucky. Norway strongly supports the efforts by the special envoys of the United States, the United Nations, the European Union and Russia.

Violence, terrorism and military responses have once again proved ineffective as a means of solving the Middle East conflict. Terrorism can never be justified. Terrorism must be fought; it must be eliminated. In line with international efforts, Norway urges President Arafat and the Palestinian Authority to make a 100 per cent effort in fighting terrorism. Known terrorists must be arrested and brought to justice, and more must be done to prevent new attacks. Norway commends President Arafat for his statement to this end on 16 December. The security situation has improved in recent days, and it is of the utmost importance that this positive development be sustained.

At the same time, Norway urges Israel to stop its military actions against the Palestinians and to show restraint. Targeting the Palestinian police and the Palestinian administration seriously undermines the authority and the effectiveness of these bodies. This will negatively affect security, including in the long term.

President Arafat and the Palestinian Authority leaders are the elected leaders of the Palestinians. Their existence and ability to function are essential for the resumption of the peace process. Without a clear interlocutor on the Palestinian side, it is hard to imagine that there will be any resumption of the peace process in the foreseeable future.

Much has been said about the implementation of the recommendations of the Mitchell report and the Tenet ceasefire understandings. They are still the most relevant tools for de-escalating the situation. Their recommendations must be fully implemented. No further delays can be accepted. The Mitchell recommendations were devised as a package, and must be regarded as such. To ensure success, any operational plan for implementation must address key security and political recommendations simultaneously. In our view, the implementation of the Mitchell recommendations and the Tenet understandings could be facilitated if the parties were provided with support in the form of a monitoring mechanism, should the parties agree to it. Norway stands ready to participate in a possible future monitoring mission.

The objectives of any new attempt to resuscitate the peace process must be made clear from the outset. Norway calls on the parties to recognize the following objectives for the final status negotiations: for the Palestinians, an end to the occupation of their territories and the establishment of a viable and democratic State, in accordance with Security Council resolutions 242 (1967) and 338 (1973); for the Israelis, the right to live in peace and security within internationally recognized borders. Only when both parties accept these goals explicitly will the resumption of final status negotiations have a chance of succeeding.

The Palestinian economy is in a severe recession after more than a year of intifada and subsequent closures of Palestinian territory. The effects have been devastating. In these very difficult circumstances, Norway remains committed to its role as Chairman of the Ad Hoc Liaison Committee for Coordination of International Assistance to the Palestinians. We will work, together with the international community, and continue to raise funds for the Palestinian people and the Palestinian Authority. We are, of course, also committed to continuing our bilateral programme of economic assistance to the Palestinian people.

The destinies of the Israelis and the Palestinians are inseparable. Security for the Israelis depends on security for the Palestinians, and vice-versa. Peace can be achieved only through mutual compromise. The parties must recognize that the path to peace will be hard and painful but that, at the end of the road, there will have to be an end to conflict. The time has come for the Middle East leaders to embark once again on the road to peace. Terror must end; a ceasefire must be implemented; final status negotiations must be prepared for.

Mr. Rodríguez Parrilla (Cuba) (*spoke in Spanish*): The twenty-fourth veto cast by the United States on the question of Palestine since 1972 has prevented the Security Council from discharging its obligations under the United Nations Charter and from

acting to represent the States Members of the Organization in order to resolve the Palestinian crisis, which is becoming ever more entrenched and a source of anguish to the international community.

Only a clear message energetically condemning the inhuman acts perpetrated by Israel, along with resolute international action to protect the Palestinian people by deploying an international observer force, will help to end the war and to create conditions conducive to the resumption of transparent and good-faith negotiations with the Palestinian Authority, with impartial mediators and the United Nations as guarantor. A just and lasting peace can be achieved only through Israel's compliance with all resolutions of the General Assembly and the Security Council, including Security Council resolutions 242 (1967) and 338 (1973), and respect by the occupying Power of its obligations under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

The actions of the Government of Israel should be energetically condemned and repudiated by the international community. The United States must immediately suspend financial support for military ends and the supply of military materiel to Israel that, in obvious complicity, includes aeroplanes, helicopters and missiles used against civilians. It must condemn Israeli State terrorism if it wishes to claim to be waging a truly global campaign against terrorism wherever and by whomever it is practised.

Cuba believes that the heroic struggle of the Palestinian people against the occupation and aggression of Israel is legitimate and inexorable. We have a strong sense of solidarity with Palestinian resistance and rebellion, expressed through the intifada.

In supporting the draft resolutions under consideration at this emergency special session, Cuba reiterates its solidarity with the Palestinian people in its search for self-determination, including the establishment of an independent and sovereign State with East Jerusalem as its capital, and with the Arab States for the return of all the occupied territories. The people of the Middle East deserve and need peace. Only a just peace can be a lasting one.

Mr. Negroponte (United States of America): All members of this body agree on the need to help end the violence and the suffering of the Israeli and Palestinian peoples now. That is what my Government has dedicated itself to do and that is what we are trying to do in the region. As President Bush said before this Assembly, we are working towards a day when two States, Israel and Palestine, live peacefully together within secure and recognized borders. We are looking for tangible, realistic means to reverse the current dangerous trend and to pave the way towards real negotiations between Israel and the Palestinian Authority.

Unfortunately, these draft resolutions, like that before the Security Council last week, fail to address the terrible dynamic at work in the region. Instead their purpose is to isolate politically one of the parties to the conflict through an attempt to throw the weight of the General Assembly behind the other party. We will vote against this attempt.

We oppose the first draft resolution because, among other things, it calls for a monitoring mechanism regardless of whether the parties agree on such a mechanism. Is this a realistic means of reaching our common goal? The draft resolution does not demand a cessation of terrorism. Chairman Arafat, in his constructive address to the Palestinian people earlier this week, issued such a call and we welcomed it. Terrorists seek to brutally sabotage any potential for a negotiated peace between Palestinians and Israelis and to undermine the Palestinian Authority in the process. As Secretary-General Annan has often said, terrorism cannot be justified by any cause. Direct negotiations are the only route to our shared goal, and acts of terrorism are aimed at derailing direct negotiations.

Thousands of miles away from this debate, my Government is working hard, along with representatives of several fellow General Assembly members, to help bring the parties back from the precipice. Yesterday, Secretary Powell, standing alongside the Belgian Prime Minister and the European Union's High Representative, recommitted the United States to achieving implementation of the Mitchell Committee recommendations through the establishment of a durable ceasefire between Israelis and Palestinians. Our engagement is direct and practical. We look forward to sending General Zinni back to the region to pursue those goals.

As the Palestinians assume their responsibilities to confront terrorist groups, such as Hamas and Palestinian Islamic Jihad, Israel needs to do its part to

create an environment in which Palestinians can sustain and expand their efforts. And, as Secretary Powell has also stressed, the daily plight of the Palestinian people must be eased. As the Palestinian Authority continues to move in a serious manner on security, Israel must take steps on the ground to ease restrictions on the Palestinian population and consider very carefully the consequences of the actions it takes.

The proper role of the United Nations is to facilitate and strengthen agreements that Israel and the Palestinians reach with each other. These one-sided resolutions do nothing to further that goal. If we can instead channel the good will in this body, today, to encourage both parties directly, on the ground, toward a course of coexistence and peace, we will make such a contribution to ending this dispute and enhance the credibility of this institution. Approval of the proposal before us today will not enhance that credibility.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): Russia is deeply concerned at the explosive developments in the situation between the Palestinians and the Israelis. We strongly condemn acts of terrorism and the attacks of extremist organizations against the civilian population of Israel.

These acts discredit the legitimate demands of the Palestinian people to implement their national rights. Furthermore, such acts undermine any attempt to steer the course of events towards a political settlement. They jeopardize the possibility of a resumption of the entire Arab-Israeli peace process. Therefore, we are convinced that the leadership of the Palestinian national administration, and Mr. Arafat personally, must take energetic and tough steps to end violence on the part of the Palestinian extremists, to arrest and punish terrorists and to destroy their infrastructure.

Moscow and other capitals have welcomed the message of President Arafat to the Palestinian people, which contained a clear appeal to end all acts of violence, including acts by suicide bombers, and his intention to punish those who organize them. There can be no doubt that the only way to overcome the Palestinian-Israeli confrontation is for both parties to observe a ceasefire and resume dialogue immediately. We believe that the leadership of the Palestinian administration, in accordance with the declaration, will take effective steps to end the extremist attacks. At the same time, we are convinced that there can be no resolution of the Palestinian-Israeli conflict by force. The status quo is absolutely invalid and is not viable, and therefore a settlement is possible only by political means.

In this connection, we call upon the Government of Israel to show restraint, refraining from any incursions into Palestinian territory and ending extrajudicial executions. This would make it possible for the Palestinian leadership, and Mr. Arafat personally, to create conditions for the implementation of antiterrorist measures.

It is particularly important to restore dialogue and cooperation between the Israeli and Palestinian leadership with regard to security. Russia, as one of the four international mediators and together with other interested parties, will make every effort possible to put an end to the current explosive developments and to renew the process of political settlement.

The draft resolution now before the General Assembly is balanced. It forcibly condemns terrorism and any other form of violence, contains an appeal for the implementation of the Mitchell plan and the resumption of the peace process, and confirms the decisions previously adopted in other formats regarding the applicability of the Fourth Geneva Convention to the occupied Palestinian territory. For that reason, the Russian delegation will vote in favour of the draft resolution.

Mr. De Ruyt (Belgium) (*spoke in French*): I have the honour to speak on behalf of the European Union. The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — the associated countries Cyprus, Malta and Turkey; and Iceland and Liechtenstein, members of the European Free Trade Association and of the European Economic Area, support this declaration.

The Union is extremely concerned over the gravity of the situation in the Middle East. It has not failed to take advantage of any opportunity to contribute to reducing the violence. The extreme gravity of the situation requires each side to face its responsibilities. Putting an end to the violence is the first imperative.

We are meeting today in an emergency special session to examine two draft resolutions. One of them was presented to the Security Council last Friday, at

which time I expressed the position of the European Union with respect to the Middle East situation. Last Friday and Saturday, the heads of State and Government of the European Union, meeting in Laeken, also examined the Middle East situation. They have made an important statement in that regard. It recalls that peace can be based only on Security Council resolutions 242 (1967) and 338 (1973) and, on the one hand, the reaffirmation and full recognition of Israel's inalienable right to live in peace and security within internationally recognized borders and, on the other, the establishment of a viable, independent and democratic Palestinian State as well as an end to the occupation of the Palestinian territories.

The heads of State and Government emphasized that, in order to negotiate and to eradicate terrorism as well as to build peace, Israel needs a partner — the Palestinian Authority and its elected President, Yasser Arafat. Its capacity to combat terrorism must not be weakened. The European Union reiterates its appeal to the Palestinian Authority to do everything in its power to prevent acts of terrorism.

The European Union recalls the following commitments required of the parties: for the Palestinian Authority, the dismantling of the Hamas and Islamic Jihad terrorist networks, including the arrest and prosecution of all suspects, and a public appeal in the Arabic language for an end to the armed intifada; and for the Israeli Government, the withdrawal of its military forces and an end to extrajudicial executions, a lifting of the blockade and all other restrictions imposed on the Palestinian people, a freeze on settlements and an end to operations directed against the Palestinian infrastructures.

The implementation of these commitments calls for resolute action by both the Palestinian Authority and Israel. Furthermore, the Union is persuaded that the immediate and unconditional implementation of the Tenet ceasefire plan and the recommendations of the Mitchell Committee remain the path to a resumption of political dialogue.

The European Union is convinced that the establishment of an impartial monitoring mechanism would serve the interests of both parties. It is prepared to take an active part in such a mechanism.

With regard to the second draft resolution before us, I would like to recall that the European Union welcomed the holding, on 5 December, of the Conference of High Contracting Parties on the application of the Fourth Geneva Convention. In our view, there can be no ambiguity regarding the fact that international humanitarian law must be respected by all parties implicated in an armed conflict and that the protection of the civilian population is an absolute imperative.

The Fourth Geneva Convention is a valuable instrument for ensuring that this protection is afforded in all circumstances. With regard to the territories occupied by Israel since the 1967 war, the consistent position of the European Union is that the provisions of the Fourth Convention apply there and must be respected.

The European Union participated in the Conference of High Contracting Parties with the aim of attaining better application of the provisions of the Fourth Geneva Convention and of thus contributing to an improved humanitarian situation on the ground without blocking efforts to bring about a resumption of the peace process. The European Union believes that we should not only reaffirm the universality of the Fourth Convention and recall the obligations of the Contracting Parties, but also launch a wider call on all sides to halt all acts of violence against the civilian population and to cease supporting or tolerating such acts. We believe that the text of the declaration adopted by the Conference is a good reflection of the objectives that were before us at the outset.

Resolute concerted action by the European Union, the United Nations, the United States, the Russian Federation and the Arab countries most concerned is essential and urgent. The European Union will continue its efforts to ensure that both States, Israel and Palestine, can live side by side in peace and security.

Mr. Heinbecker (Canada) (*spoke in French*): I take this opportunity to state Canada's position in this emergency debate. The violence that for the past 15 months has pitted Israelis against Palestinians has caused the deaths of 1,000 men, women and children and has maimed and terrorized thousands more. Bitterness, mistrust and hostility are omnipresent, and constitute a massive obstacle to the resumption of dialogue. Yet the long-term needs of Israelis and of Palestinians continue to be the same, and they will not change.

(*spoke in English*)

Israelis need to live in peace and security within borders that are internationally recognized. Palestinians too need to live in peace and security in a viable State with internationally recognized borders. This can be brought about through the negotiations between Palestinians and Israelis that must be resumed without delay. The immediate cessation of all acts of violence, provocation and destruction is essential. Violence undermines the proponents of peace, moderation and goodwill and encourages the advocates of extremism. Vigorous action must be taken against terrorists. By their indiscriminate violence and their suicide bombings, the terrorists have perpetrated heinous crimes against innocent people. They have also undermined confidence that peace and security are possible. And in the process, they have done incalculable harm to the legitimate aspirations of the Palestinian people. Accordingly, we welcome the steps that the Palestinian Authority has recently taken against Hamas and Islamic Jihad.

The Government of Canada will abstain in the vote on the first draft resolution before us today, draft resolution A/ES-10/L.7, because we believe that it fails to deal adequately with the recent terrorist actions that have done so much damage. We will abstain in the vote on the second draft resolution (A/ES-10/L.8) regarding the recent Conference of High Contracting Parties to the Fourth Geneva Convention, because on the occasion of that Conference Canada expressed its reservations about the nature of the meeting and about the meeting's failure to take into account terrorist acts against Israeli citizens. We also provided at that time our understanding of particular elements of the declaration; that understanding remains the same. With regard to draft resolution A/ES-10/L.8, we continue to have the same concerns.

Canada fully supports Israel's right to security and understands Israel's need to defend itself against terrorist attacks. At the same time, the use of force, in the absence of political engagement, also undermines confidence and reinforces extremism. Extrajudicial killings of known and suspected terrorists and the targeting of infrastructure take a heavy toll in lives and in the qualities of reason, moderation and goodwill that are needed now more than ever.

We agree with the call in draft resolution A/ES-10/L.7 on Israel and the Palestinian Authority to start implementing the recommendations of the Mitchell report. Both parties accepted that report when it first appeared last May. In so doing, they recognized that the Mitchell report provided a road map for setting the peace process back on course. The sooner the parties get back on the track to peace, the better for all concerned. The Government of Israel and the Palestinian Authority must urgently resume discussion and cooperation. Peace talks require partners who can speak for their peoples. Israel must re-engage with the legitimate representatives of the Palestinian people, that is to say the Palestinian Authority.

The international community ardently desires the resumption of dialogue and negotiation, and it stands ready to help. Canada, now as in the past, is willing and able to assist in efforts to reach a solution.

Mr. Shen Guofang (China) (*spoke in Chinese*): Recently, the violence between Israel and Palestine has been escalating. It has caused enormous casualties and losses, and has been a source of international tension.

In the face of this grave situation in the Middle East, the Security Council, which bears primary responsibility for the maintenance of international peace and security, should take effective measures to meet that responsibility. We have all along maintained that the Security Council should take resolute action to bring the violence to an end and to prevent the situation from worsening, including by deploying international observer forces or by establishing a monitoring mechanism in the region. Along with other members of the Security Council, we have made unremitting efforts to that end. Regrettably, however, a draft resolution on this issue has been vetoed once again in the Security Council, and today we have resumed this emergency special session of the General Assembly, which is thus all the more important.

The question of Palestine lies at the core of the Middle East issue. The key to resolving that question and attaining lasting peace in the Middle East is the restoration of the legitimate national rights of the Palestinians, including their right to independent statehood, on the basis of relevant Security Council resolutions and the principle of land for peace. It has been demonstrated over and over again in the past and present of the Middle East that violence and military retaliation can serve only to deepen mutual hatred.

The "violence for violence" approach will only give rise to bloodier violence, bringing greater loss of

life and property to civilians on both sides. Dialogue and negotiation, therefore, are the only right path towards peace. We would like to urge the two sides — that is, the Israelis and the Palestinians — to remain calm in addressing the current serious situation and to stop retaliation in order to avoid a vicious cycle of escalation of violence. We hope they will take concrete measures to implement existing agreements and resume peace talks at an early date so as to find a solution to the conflict through negotiation.

We welcome the mediation efforts by all parties of the international community concerned in easing the Middle East situation. We hope these efforts can bring us nearer to an early restoration of the legitimate national rights of the Palestinian people, as well as find a just and comprehensive solution to the question of Palestine on the basis of relevant Security Council resolutions and the principle of land for peace.

President Arafat enjoys high prestige among the Palestinian people, and he is an important figure in many aspects of the international community. For many years, the Palestine Authority, under his leadership, has been an indispensable party to the Middle East peace process. The role of the Palestine Authority should be duly protected. Under the current extremely difficult circumstances, the Palestinian side has taken effective action to curb activities by extremists, thus demonstrating goodwill in sticking to the road of peace. China supports President Arafat and the Palestinian National Authority under his leadership in their continued efforts to solve the question of Palestine through peace talks.

Mr. Satoh (Japan): The Government of Japan has consistently supported the Palestinian people's right to self-determination, including their right to establish an independent State. It has also supported Israel's right to live in peace within secure and recognized boundaries.

History has shown that achieving both these objectives is by no means an easy task, but since the 1990s efforts have been made by the countries concerned to make both objectives compatible. The ongoing efforts known as the Oslo process, which aims at resolving the conflict through negotiations, are a case in point.

The Government of Japan is therefore all the more worried about the vicious, incessant cycle of violence in the region for more than a year, particularly the recent confrontational relations between the Government of Israel and the Palestine Authority, which could lead to a collapse of the process. It is for this reason that we have repeatedly called upon all parties concerned to put an end to the violence immediately and to resume dialogue.

The Government of Japan sincerely hopes that the day will soon come when two States, Israel and Palestine, will live together peacefully within secure and recognized boundaries. The Japanese Government, together with many other countries, is prepared to extend its utmost support to the efforts by both parties to achieve that goal. However, no progress towards peace in the Middle East can be expected unless the Government of Israel and the Palestine Authority, under the leadership of Chairman Yasser Arafat, put an end to the use of violence and make serious efforts to resume negotiations.

With the attacks on 11 September as a turning point, there is a new momentum for cooperation in the international community that transcends religious, racial and cultural differences. On the question of peace in the Middle East, too, it is important for both parties to seize this opportunity to redouble their efforts to move forward towards the attainment of durable peace in the region, based on the spirit of harmony and cooperation. I strongly hope that the Israeli Government and the Palestine Authority will recognize how important this is and will make every effort to resume the dialogue.

Mr. Shihab (Maldives): Mr. President, as requested by you, in the interest of saving time, I shall refrain from reading out my statement, which will be circulated. However, I would request the Secretariat to circulate my statement in its entirety as an official document of the General Assembly.

[The statement was subsequently issued in document A/ES-10/135.]

Mr. Cordeiro (Brazil): Mr. President, Brazil fully endorses the statement made by the delegation of Chile on behalf of the Rio Group. In addition, we would like to thank you for convening this meeting.

The plight and suffering of innocent civilians in the Middle East requires the permanent attention of the General Assembly. No one can remain indifferent to the escalation of violence in that region.

Fourteen months ago, this very special session was reconvened. At that time, we urged both sides to

bring the bloodshed to a halt and appealed to the peoples and Governments of the region to exercise restraint and to gather the necessary political will in order to achieve a just, comprehensive and lasting peace. We all recognize that this call is even more relevant and urgent today.

Brazil condemned the recent violent terrorist acts in the region. In the same vein, we deplored the attacks that the Israeli forces committed against civilian targets in the West Bank, which resulted in hundreds of casualties among Palestinian civilians. Violence can serve no one's cause; it leads only to further deterioration of the situation and increased hostility and intolerance between the Israelis and the Palestinians. Reconciliation, for its part, must be pursued through the mechanism for peaceful resolution of disputes accepted by the international community and available in the United Nations Charter. Reconciliation must be based on a constructive dialogue and on respect for the agreements reached between the parties and on the implementation of Security Council resolutions 242 (1967) and 338 (1973).

Dialogue and negotiations between Israel and the Palestine Authority must be resumed urgently. The Palestine Authority is the legitimate representative of the Palestinian people. As the draft resolution before us states, the Palestine Authority plays an essential role; it is an indispensable party for peace and, as such, needs to be preserved fully.

We call upon the parties to consider all proposals that may lead to resumption of the negotiations and to adhere to the peace initiatives offered by the international community, in particular the implementation of the recommendations contained in the Mitchell report.

Brazil underlines the importance of the safety of all civilians in the Middle East, the importance of the protection of human rights and respect for cultural values and religious symbols. It is equally important to ensure opportunities for the well-being and development of all peoples in the region.

We join other delegations in expressing our endorsement of the declaration adopted on 5 December by the Conference of High Contracting Parties to the Fourth Geneva Convention, and in this regard we express appreciation to the Government of Switzerland for its efforts in coordinating that meeting.

Ever since the question of Palestine was placed under the aegis of the United Nations, Brazil has consistently advocated a peaceful solution to the Middle East conflict. At the 44th meeting of the Assembly's fifty-sixth session, in the opening statement of the general debate this year, President Fernando Henrique Cardoso renewed the Brazilian commitment to a balanced and just solution to the question of Palestine, underlining that

> "Just as it supported the creation of the State of Israel, Brazil today calls for concrete measures towards the setting up of a Palestinian State that is democratic, united and economically viable.
>
> "The right of the Palestinian people to self-determination and respect for the existence of Israel as a sovereign, free and secure State are essential if the Middle East is to rebuild its future in peace.
>
> "This is a moral debt owed by the United Nations. It is a task that must not be postponed."

The Brazilian Government follows attentively the situation in the occupied Palestinian territories. We remain prepared to contribute in any way we can in order to help achieve the goal of political freedom, peace, stability and prosperity for all in the Middle East.

The United Nations is a fundamental instrument for that. Once again, we call upon the parties to make every possible effort to end the violence. We join the international community and the United Nations in their determination not to allow extreme actions of any nature to prevent the resumption of the peace process. The international community has a responsibility to help both parties to find a solution to this tragic, long-standing conflict. It is in that spirit that Brazil will vote in favour of both draft resolutions before us today.

Mr. Chowdhury (Bangladesh): This resumed session is an apt response to the deteriorating situation in the Middle East. For the United Nations system not to react strongly to these unfortunate developments would be tantamount to standing by in silence when logic and conscience dictate that one must act.

The events are rendered all the more sad because today, more than ever before, there is a broad agreement on the vision that is the ultimate solution. It includes the creation of a separate, independent State

called Palestine. So we have the end in view; the issue now is how to proceed towards it.

Terror and violence are not instruments that will advance the achievement of this goal; nor will gross and systematic violations of the Geneva Conventions. Abjuring these methods would signal to all that the parties involved want to stay the course to peace.

The centrality of the issue of Israeli occupation of Palestinian territories must be recognized and addressed. Once this root cause is eliminated, the journey to peace will be vastly facilitated. The practice of building settlements has been most counterproductive. It must cease forthwith. Excessive and disproportionate use of military force by the occupying Power must be ended. Actions along these lines will surely induce a positive response.

We believe that the implementation of the Mitchell agreement would form the basis for jumpstarting the peace process. Other efforts being initiated to that end are deserving of our fullest support. We must mention here that these by no means replace the relevant United Nations resolutions, which include Security Council resolutions 242 (1967) and 338 (1973), as well as the other international agreements between the parties concerned. The final resolution of the issue must recognize the inalienable right of the Palestinian people to a State of their own, with Jerusalem as its capital.

In the meantime, every effort should be made to strengthen the Palestinian Authority's capacity to act as a partner for peace. There is no viable alternative to this. Any action undermining it would have negative consequences. We believe that insisting on preconditions for the resumption of negotiations only delays the peace process. Therefore, we call on all concerned to push for the resumption of the dialogue immediately, without any preconditions.

In our view, the draft resolutions before us sum up the concerns and aspirations of the global community at this point in time. We have therefore co-sponsored them. Now, what can the global community do to help? Could there be a methodology or mechanism whereby, under the auspices of the Secretary-General and in the company of the Presidents of all United Nations organs, the leaders of Israel and Palestine meet in continuous proximity talks until such time as they walk away with results? This is neither a proposal nor even a suggestion, but merely an idea — but an idea whose time has surely come.

We have just observed Hanukkah and Eid-el-Fitr and meet on the cusp of Christmas. These three celebrations mark the three great religions that emanated from that now embattled land. All of them are united in urging peace upon their adherents. Can these three great faiths not inspire us to respond to the gentle message of harmony? Can they not motivate us to make a massive endeavour as the result of which the Muslim, the Jew and the Christian could live side by side in harmony in a region that once gave birth to hope for humanity?

The President: In accordance with the decision taken by the General Assembly at its 10th plenary meeting on 5 February 1999, I now call on the observer of Switzerland.

Mr. Staehelin (Switzerland) (*spoke in French*): On 5 December, 115 States parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War met in Conference in Geneva and issued a declaration by which they reaffirmed the applicability of the Convention to the occupied Palestinian territory, including East Jerusalem. Furthermore, they reiterated the need for full respect for the provisions of said Convention in that territory and recalled in particular

> "the respective obligations under the Convention of all high contracting parties, of the parties to the conflict and of the State of Israel as the occupying Power".

Any genuine follow-up to that Conference must include the implementation of international humanitarian law, the applicable rules and principles of which are recalled in the declaration. Unconditional respect for humanitarian law is not only essential in itself, but also a sine qua non for abandoning the logic of fait accompli and blind violence and thus for returning to a logic of political dialogue leading to the just and lasting peace that the Middle East so urgently needs.

In endorsing the recommendations made in the declaration of 5 December, Switzerland stresses the need for all States and institutions represented here to ensure a follow-up to the implementation of the declaration. Moreover, Switzerland, as depositary of the Geneva Conventions, welcomes and encourages the

initiatives taken by States parties, individually and collectively, pursuant to article 1 of the Convention and aimed at ensuring respect for the Convention. Such initiatives must seek to guarantee the application of international humanitarian law and respect for its provisions in the interest of the population under protection.

At the Conference of 5 December, the Swiss presidency stressed two important points in the debate. On the one hand, the Conference was held because a great many States parties felt it necessary to send a clear signal in support of respect for the rules of international humanitarian law. They did so because the humanitarian situation in the Israeli-Palestinian context has seriously deteriorated, because those universal rules are clearly being violated there with frequency and because, apparently, the existing mechanisms to protect and assist the victims are unable to do so in the conditions prescribed by law.

Moreover, the Conference was not a court of justice in session to condemn anyone, but a large group of States parties wishing to discharge their responsibilities and to recall the applicable law in the vital interests of all the victims of its many violations.

In addition to the political message and to humanitarian assistance in the field, the question arises as to whether, in order to better protect civilians, it is possible or necessary today to resort to legal or monitoring mechanisms. An effective implementation of humanitarian rules can be achieved by either of these means, as the declaration of 5 December reflects.

Switzerland is devoted to the principle of subsidiarity and therefore hopes, in this particular instance, that the parties to the conflict — and, with regard to certain specific obligations, the occupying Power — will be the first to respect and ensure respect for international humanitarian law, taking the declaration of 5 December into special account. The States parties also have their own obligation, under article 1 of the Conventions, to ensure that respect in all circumstances. The international community in general also has a subsidiary role here. As the High Commissioner for Human Rights recalled at the Conference, the United Nations Charter provides States with legal and diplomatic mechanisms supplementary to those provided by the Fourth Geneva Convention itself.

Today more than ever, Switzerland hopes that, in the interest of the victims of violations of international humanitarian law in the Middle East, whatever their origin or religion may be, as broad a consensus as possible will emerge among the States represented here in order to provide a truly humanitarian response, with a clear legal foundation, to the current serious problems.

The President: We have heard the last speaker in the debate on this item.

I should like to make a technical correction to document A/ES-10/L.7. I have been informed that the sponsors submitted two draft resolutions. The Assembly will note, however, that the two draft resolutions have been issued as parts A and B in document A/ES-10/L.7. In accordance with the intention of the sponsors, part A should be document A/ES-10/L.7 and part B should be A/ES-10/L.8.

We shall now proceed to consider the two draft resolutions A/ES-10/L.7, currently part A, and A/ES-10/L.8, currently part B.

I call on the representative of Turkey for an explanation of vote before the voting. May I remind him that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Pamir (Turkey): My delegation will vote in favour of the two draft resolutions before us. We have also aligned ourselves with the statement made by the representative of Belgium on behalf of the European Union. However, given Turkey's unique position in the region, we deem it necessary to explain the main concerns that have shaped our reasoning behind this vote.

The rapid deterioration of the situation in the Middle East is a cause of great concern. We are deeply concerned by the continuation of the vicious cycle of violence. We genuinely fear that this may lead to the loss of overall control, with unforeseen repercussions.

Turkey strongly condemned the recent heinous terrorist attacks against Israeli civilians. Such acts cannot be justified under any pretext. The perpetrators of these acts of terror not only aim at harming Israel and the Palestinian Authority, but also wish to sabotage the prospects for peace. We welcome the measures taken by President Arafat against those individuals or extremist groups which use terrorist methods. We hope

that these measures will be maintained and implemented effectively and resolutely.

Particularly in the past 15 months, it has become obvious that this problem can be solved neither by means of excessive use of force, nor through siege and economic blockade. All acts of violence and terror should be decisively ceased in order to ensure that they do not reach an irreversible stage in this ongoing crisis. The only way to peace and security passes through meaningful dialogue and political negotiations. In particular, the chance of dialogue between both parties should not be impeded. It is only through the resumption of peace talks that the international community can expect to see a lasting and comprehensive agreement that will enable Israel and Palestine to live side by side within their mutually recognized borders.

The Mitchell report, realistic and well balanced, on the one hand, and the Tenet plan, with its well-outlined parameters, on the other, constitute the pillars of a genuine road map that will transport the region to peace, to be achieved on the basis of Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace.

It goes without saying that any kind of deployment which foresees an international presence requires the agreement of the parties as far as their territories are concerned. As to its practicability, this issue has been addressed, among others, in a constructive spirit in the widely welcomed report of the Sharm el-Sheikh Fact-Finding Committee and agreed to by Israelis and Palestinians alike.

At this very critical juncture, we call on both parties to refrain from taking radical steps in order not to exacerbate the already tense situation. Supporting the vision of hope is extremely important in the Middle East. Despite many negative developments, we are heartened by the fact that contacts between the Israelis and the Palestinians have not been totally interrupted. We welcome the meeting between security officers from both sides.

With regard to anti-terrorism measures that are being taken by both parties, we deem it necessary that they be complementary, rather than contradictory. In this way, we attach great importance to the efficient functioning of the Israel-Palestinian security committee.

Finally, we continue to encourage every diplomatic effort directed at bringing a solution to this conflict. Such international efforts can contribute to the establishment of peace and stability in the Middle East as a whole. Turkey, for its part, will continue to act as a facilitator and to make its own contributions to that end.

The President: The Assembly will first take a decision on draft resolution A/ES-10/L.7, currently part A. I should like to announce that, since the introduction of the draft resolution, the following countries have become co-sponsors: Bahrain and Oman.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Tuvalu, United States of America

Abstaining:

Albania, Australia, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Croatia, Dominican Republic, Estonia, Georgia, Iceland, Japan, Latvia, Lithuania, Nicaragua, Norway, Papua New Guinea, Paraguay, Romania, Samoa, Slovenia, Solomon Islands, Tonga, United Kingdom of Great Britain and Northern Ireland, Vanuatu

Draft resolution A/ES-10/L.7 was adopted by 124 votes to 6, with 25 abstentions (resolution ES-10/8).

[Subsequently the delegation of Chad informed the Secretariat that it had intended to vote in favour.]

The President: The Assembly will take a decision on draft resolution A/ES-10/L.8, currently part B of A/ES-10/L.7. I should like to announce that since the introduction of the draft resolution, the following countries have become sponsors: Bahrain and Oman.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining:

Australia, Cameroon, Canada, Costa Rica, Dominican Republic, Georgia, Guatemala, Nauru, Nicaragua, Papua New Guinea, Paraguay, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu

Draft resolution A/ES-10/L.8 was adopted by 133 votes to 4, with 16 abstentions (resolution ES-10/9).

The President: I shall now call on those representatives who wish to speak in explanation of vote on the resolution just adopted. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Blazey (Australia): My explanation of vote relates to draft resolution A/ES-10/L.8.

Australia attaches great importance to the Fourth Geneva Convention and agrees that it applies to the occupied territories. However, Australia did not participate in the Conference of High Contracting Parties convened in Geneva on 5 December, as in our view the meeting would neither assist to resolve the conflict, nor relieve the humanitarian situation. We have, accordingly, also abstained on this resolution.

Mr. Ahmad (Pakistan): We have just voted on two draft resolutions reflecting the concern of the overwhelming majority over the seriousness of the security situation in Palestine and urging the need for early remedial steps.

Never in the history of the Palestinian crisis has the situation been so volatile and the need to respond more critical. With hopes of peace dashed, the peace process itself derailed and violence spiralling out of control, a lack of international pressure on the two sides to stick to their earlier agreements could only escalate and further aggravate the chaos in Palestine.

We agree with the Secretary-General that at this most difficult of times, lasting peace and security can be achieved only through a negotiated settlement. We see no better way to solve disputes, whether in Palestine or elsewhere, than through negotiations and dialogue. A meaningful dialogue, based on justice and equity and fully supported by an impartial international community, is the only way to break the impasse with which we are confronted in the Middle East.

Last year, we saw bold steps in the direction of peace in the Middle East, but we also saw how soon certain provocative actions undermined the progress on the path towards peace. This progress is now blocked by intransigence and inflexibility. Urgent action by the guarantors of the peace process is required to persuade the two parties to start the comprehensive implementation of the recommendations of the Mitchell report at the earliest.

The international community must not allow the present alarming state of affairs to continue, which could permanently wreck the prospects of peace in the Middle East. The United Nations also cannot afford to be a silent spectator when peace in one of the most volatile areas of the world remains so severely threatened.

In voting for the resolutions just adopted, we remain convinced that no lasting peace in the Middle East would be possible without achieving a peaceful settlement of the question of Palestine in accordance with Security Council resolutions 242 (1967) and 338 (1973). The realization of the inalienable rights of the Palestinian people, especially the right to self-determination, and withdrawal of occupation forces from the occupied territories, as well as the dismantling of illegal settlements, are essential for any meaningful progress in the peace process.

The significance of Al-Quds Al-Sharif for the international community in general and the Islamic world in particular requires no elaboration. Al-Quds Al-Sharif remains central to any comprehensive settlement in the Middle East.

Mr. Loizaga (Paraguay) (*spoke in Spanish*): My delegation abstained from the vote on the draft resolutions submitted for consideration in this special emergency session, bearing in mind that the most recent events in the Middle East, known to all, involve responsibilities that should be shared by the parties directly involved.

We would have supported these draft resolutions if the texts had contained a fair balance in assigning responsibility, as well as an appeal to put to an end the acts of violence and terror that affect the civilian populations of both parties. We believe that the draft resolutions that were submitted to the vote should have included elements that would serve essentially to stimulate and strengthen the will of the parties to continue the peace process.

Finally, we reiterate the appeal to both parties to redouble their efforts to resume negotiations, as soon as possible, through dialogue to ensure success in the peace process.

The President: We have heard the last speaker in explanation of vote after the vote.

I now give the floor to the observer of Palestine.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): I would like to reiterate my thanks to you, Mr. President, and to express our appreciation on behalf of the Palestinian people to all the friendly countries that supported the two draft resolutions, especially those that sponsored them, particularly South Africa and Egypt.

The President: The tenth emergency special session of the General Assembly is now adjourned in accordance with the terms of paragraph 3 of A/ES-10/L.8, adopted at the present meeting.

The meeting rose at 6.15 p.m.